



STATE OF DELAWARE
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July 11, 2014

MEMORANDUM

TO: The Chair and Members of the Commission

FROM: Vincent O. Ikwuagwu, Public Utilities Analyst *VOI*

SUBJECT: IN THE MATTER OF THE APPLICATION OF TW TELECOM DATA SERVICES, LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE COMPETITIVE FACILITIES-BASED AND RESOLD LOCAL EXCHANGE SERVICES AND INTRASTATE LONG DISTANCE TELECOMMUNICATIONS SERVICES WITHIN THE STATE OF DELAWARE
(FILED MARCH 21, 2014) - PSC DOCKET NO. 14-117

tw telecom data services, llc ("tw telecom"), has applied ("Application") for a Certificate of Public Convenience and Necessity ("CPCN") to provide competitive facilities-based and resold local exchange and intrastate Long Distance telecommunications services within the State of Delaware. The Delaware Public Service Commission staff ("Staff") has reviewed the Application to determine its compliance with the Rules and Regulations promulgated in 26 *Del. Admin. C.* §4001.

Included with the Application, tw telecom submitted a Surety Bond in the amount of \$50,000 issued by RLI Insurance Company on behalf of tw telecom in compliance with *Del. Admin. C.* §§1001-4.6.1 and 4.6.3. To demonstrate its financial capability, tw telecom also provided to Staff its financial report for the fiscal period ended September 30, 2013.

To demonstrate its technical and managerial capabilities, tw telecom provided Staff with background information of its principal officers and employees. In addition, Staff notes that tw telecom is currently certified to provide similar services in 8 states and have

applications pending in 4 other states. tw telecom also confirmed that it intends to comply with the Commission's Rules and Regulations on an ongoing basis.

Pursuant to 26 *Del. Admin. C.* §4001-4.3, a copy of the Application was provided to the Division of the Public Advocate, and public notice of the Application was published in The News Journal and in the Delaware State News newspapers on April 23, 2014. Staff reports that it received no formal comments or objections to tw telecom's Application for a CPCN.

Based on Staff's review and analysis, tw telecom has shown that it has the financial, managerial, and technical means to provide resold telecommunications services in Delaware. Therefore, Staff recommends that the Commission grant tw telecom data services llc a CPCN to provide competitive facilities-based and resold local exchange and intrastate Long Distance telecommunications services within the State of Delaware.